

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

Michelle C. Gable, and Joseph Gable,)	
)	
Plaintiffs,)	ORDER
)	
vs.)	
)	
Epic Microsys. d/b/a Lerr Group, Inc., and)	
Red River Service Corporation,)	
)	Case No. 4:04-cv-040
Defendants.)	

The court conducted a status conference via telephone conference in the above-entitled action on May 14, 2007. The Plaintiffs appeared pro se. Attorney Richard Clapp appeared on behalf of Defendant Red River Service Corporation.

During the course of the conference call, the Plaintiff indicated that she had obtained additional information by way of a FOIA request indicating the Lerr Group was the party responsible and that she no longer opposed the dismissal of Defendant Red River Service Corporation from the action. She requested additional time in which to find an attorney to proceed against the other defendant.

Based on the foregoing, its hereby **ORDERED** as follows:

1. The motion for summary judgment of dismissal is **GRANTED IN PART** (Doc No. 24) as to Defendant Red River Service Corporation. The Plaintiffs' claims against Red River Service Corporation are hereby **DISMISSED** with prejudice and without costs to any of the parties; and
2. The court will conduct another status conference in this matter on a date to be scheduled after July 16, 2007, if by that date an attorney has not appeared for the Plaintiffs.

Dated this 14th day of May, 2007.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge